

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ADRIANNA PEDRIN,  
Plaintiff,  
v.  
JUDGE LAW FIRM,  
Defendant.

Case No.: 15CV1942 BEN (KSC)

**ORDER DENYING MOTION FOR  
LEAVE TO PROCEED IFP**

On September 1, 2015, Plaintiff Adrianna Pedrin filed a civil complaint and a motion to proceed *in forma pauperis* (“IFP”).<sup>1</sup> (Docket Nos. 1-2). Because Plaintiff has failed to establish that she is unable to pay the filing fee, the motion to proceed IFP is **DENIED.**

All parties instituting any civil action in a district court must pay a filing fee. 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff’s failure to prepay the entire fee only if the plaintiff is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a).

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<sup>1</sup> The Court notes that Plaintiff filed a related action on August 31, 2015, *Pedrin v. Judge Law Firm*, 15cv1932 BEN (KSC), in which she also filed a motion to proceed IFP.

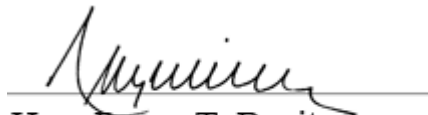
1 Under 28 U.S.C. § 1915(a)(1),  
2 any court of the United States may authorize the commencement,  
3 prosecution or defense of any suit, action or proceeding . . . without  
4 prepayment of fees or security therefor, by a person who submits an affidavit  
5 that includes a statement of all assets such [person] possesses that the person  
is unable to pay such fees or give security therefor.

6 Plaintiff has submitted a motion to proceed IFP that does not identify the amount  
7 she receives from all sources or how frequently she receives income from these sources.  
8 (Docket No. 2 at 2.) For example, Plaintiff indicates that she receives social security,  
9 disability, or other welfare, but does not indicate the amount or frequency of payments.  
10 Additionally, Plaintiff indicates that she owns her home, valued at \$495,000, but also  
11 states that she pays \$1,915 in rent. (Docket No. 2 at 3.) There could be some explanation  
12 for this, but the Court is not inclined to speculate when it is Plaintiff's obligation to  
13 establish she is unable to pay the fee. Finally, the Court is skeptical that Plaintiff cannot  
14 afford to pay the filing fee when she owns a \$495,000 house. However, the Court gives  
15 Plaintiff leave to file an amended IFP application that more clearly explains her financial  
16 position.

17 Accordingly, Plaintiff's motion to proceed IFP is **DENIED** and the action is  
18 **DISMISSED without prejudice** for failing to pay the filing fee. Plaintiff is granted  
19 thirty (30) days from the date this Order is filed to pay the filing fee or file a new motion  
20 to proceed IFP. If Plaintiff does not pay the filing fee or submit a new motion, this action  
21 shall remain closed without further Order of the Court.

22 **IT IS SO ORDERED.**

23 Dated: September 21, 2015

24   
25 Hon. Roger T. Benitez  
26 United States District Judge  
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